

addressed

**OIPF IAP78**  
**OCT 21 2005**  
**PATENT & TRADEMARK OFFICE**

**Gregory H. Zayia – Reg. No. 48,059**  
Name of applicant, assignee or  
Registered Representative

Our Case No. 9793/73  
RDGmbH Ref. 18931-US/IR (5181/0Q/US)  
RDC Ref. BMID 9903 US

In re Application of:	)	
Johann Karl et al.	)	
Serial No. 09/890,442	)	Examiner James Leslie Grun, Ph.D.
Filing Date: January 31, 2002	)	Group Art Unit No. 1641
For: Assay for the Detection of N-Terminal proBNP	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In order to simplify issues for appeal of the final rejection issued against the above-identified patent application, Applicants respectfully request entry of the following amendments and remarks, which are being filed concomitantly with their Amended Appeal Brief.

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this communication.

Remarks begin on page 15 of this communication.